

ESTTA Tracking number: **ESTTA368166**

Filing date: **09/14/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052702
Party	Defendant Daniel Munoz, Cesar Aceves and Jose de Jesus Aceves
Correspondence Address	ALBERT S. PENILLA MPG, LLP 710 LAKEWAY DRIVE, SUITE 200 SUNNYVALE, CA 94085 UNITED STATES al@mpiplaw.com, cesar@tequilatrade.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Albert S. Penilla
Filer's e-mail	al@mpiplaw.com
Signature	/Albert Penilla/
Date	09/14/2010
Attachments	Extension to Answer dated 14 Sept 2010.pdf (3 pages)(24681 bytes)

CERTIFICATE OF MAILING VIA ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals on 14 Sept. 2010.

/s/ Albert S. Penilla

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Rebel Wine Co. LLC,

Petitioner,

v.

Daniel Munoz, Cesar Aceves, and
Jose de Jesus Aceves

Registrant.

Cancellation No. **92052702**

U.S. Registration No. 3,340,854

**CONSENTED MOTION FOR EXTENSION OF
TIME TO ANSWER OR OTHERWISE PLEAD**

Daniel Munoz, Cesar Aceves, and Jose de Jesus Aceves (“Registrant”), a Mexican Partnership, by its attorneys, move for a **(30) day extension of time** to file an answer or otherwise plead to the Petition to Cancel in the above-captioned case, and further moves for a corresponding extension of all discovery and trial dates by (30) days. The current date for reply is 17 Sept. 2010.

Good cause exists for the requested extensions, in that the parties are discussing the possibility of settlement of the pending cancellation. This request is not made for the purposes of delay. Scott Gerien, counsel for Petitioner, has consented to the extension of time.

Accordingly, Registrant requests that all dates associated with this proceeding be reset and moved up by 30 days.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP
Attorneys for Registrant,
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Telephone: (408) 749-6903
Facsimile: (408) 749-6901

Date: Sept. 14, 2010

By: /s/ Albert S. Penilla
Member of the Bar of California
USPTO Registration 39,487

Atty. Docket: BANDT001

Served upon, by email:

Scott Gerien,
Attorney for **Petitioner**
DICKENSON, PEATMAN & FOGARTY
809 Coombs Street
Napa, CA 94559
Sgerien@dpf-law.com

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a copy of the foregoing has been served upon all parties, including attorney for Opposer, Scott Gerien of Dickenson, Peatman & Fogarty, at their address of record by **Email (by agreement)**, on Sept. 14, 2010.

Respectfully submitted,
/s/Albert Penilla
Albert S. Penilla
al@mpiplaw.com

Sent via Email, copies to:

Scott Gerien,
Attorney for **Opposer**
Dickenson, Peatman & Fogarty
809 Coombs Street
Napa, CA 94559
tmdept@dpf-law.com
Sgerien@dpf-law.com